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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,786	12/30/2003	Darrell R. Finneman	D/A3506 XERZ 2 00671	1093
27885	7590	06/15/2006		
FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLP 1100 SUPERIOR AVENUE, SEVENTH FLOOR CLEVELAND, OH 44114			EXAMINER BUI, HUNG S	
			ART UNIT 2841	PAPER NUMBER

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

H.D

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/749,786	FINNEMAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Hung S. Bui	2841	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-17, 19-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-9, 14-17 and 19-28 is/are rejected.
- 7) ☒ Claim(s) 10-13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/30/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. The indicated allowability of claims 6-9 and 19-22 is withdrawn in view of the newly discovered reference(s) to Orban [US 4,535,656]. Rejections based on the newly cited reference(s) follow.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6-9, 16-17, 19-21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartos et al. [US 5,704,750] in view of Orban [US 4,535,656].

Regarding claims 1, 6-8, 15, 19 Bartos et al. disclose a support member (figure 3), comprising:

- a support panel (figure 3);
- a retention element (24) for use in mounting an associated component (28) to the support panel, the retention element defining a bore (figure 3) for receiving an associated threaded fixing element (10) which mounts the component to the support panel and a protrusion which extends into the bore from a sidewall thereof (figure 3).
- The bore including a first portion located adjacent to a fixing element receiving opening of the bore and a second portion, spaced from the opening,

wherein the second portion having a smaller diameter than the first portions (figure 3).

Bartos et al. disclose instant claimed invention except for the protrusion including a rib which extends generally parallel with a longitudinal axis of the bore.

Orban discloses a support member having a retention element defining a bore (figures 2 and 4) for receiving an associated threaded fixing element (14), wherein the bore includes first and second protrusions (22) which extends from the inner wall of the bore, wherein the protrusion includes a rib which extends generally parallel with a longitudinal axis (30, figure 2) of the bore and wherein the protrusion including an outer surface which defines an arc of an imaginary circle which is concentric with the bore (figure 4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add the rib design of Orban in Bartos et al., for the purpose of providing more friction when the fixing element inserts/removes from the bore.

Regarding claim 2, Bartos et al., as modified, further disclose wherein the retention element being formed of a boss that extends from the support panel (figure 3).

Regarding claim 3, Bartos et al., as modified, disclose the boss being formed of plastic (see abstract).

Regarding claim 4, Bartos et al., as modified, disclose wherein the bore includes a first portion located adjacent to a fixing element receiving opening of the bore and a second portion, spaced from the opening, the second portion having a smaller diameter than the first portion (figure 3).

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Regarding claim 9, Bartos et al. disclose the instant claimed invention except for the protrusion including first and second side surfaces.

Orban discloses the protrusion including first and second side surfaces which connect the outer surface of the protrusion with a side wall of the bore (figure 4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the protrusion design of Orban in Bartos et al., for the purpose of providing rigidity of the bore.

Regarding claims 16 and 23, Bartos et al., as modified, disclose a combination of a retention element and a fixing element (figure 3) comprising:

- a retention element (24) which defines a bore and a projection which extends into the bore; and
- a threaded fixing element (22) which is received by the bore and which is capable of forming a helical groove in the bore, the projection engaging a threaded portion of the fixing element as the threaded fixing element is threadably engaged with the groove.

Bartos et al. disclose instant claimed invention except for the protrusion including a rib which extends generally parallel with a longitudinal axis of the bore.

Orban discloses a support member having a retention element defining a bore (figures 2 and 4) for receiving an associated threaded fixing element (14), wherein the bore includes first and second protrusions (22) which extends from the inner wall of the bore, wherein the protrusion includes a rib which extends generally parallel with a longitudinal axis (30, figure 2) of the bore.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to add the rib design of Orban in Bartos et al., for the purpose of providing more friction when the fixing element inserts/removes from the bore.

Regarding claim 17, Bartos et al., as modified, further disclose wherein the fixing member comprises a screw (figure 3).

Regarding claim 20, Bartos et al., as modified, disclose wherein the imaginary circle having a diameter which is less than a maximum diameter of the screw (figure 3).

Regarding claim 21, Bartos et al. disclose wherein the imaginary circle having a diameter which is about that of the minimum diameter of the screw (figure 3).

4. Claims 14, 22 and 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartos et al., as modified, as applied to claims 1, 8, 23 and 25 above, and further in view of Slater [US 4,580,689].

Regarding claims 14, 22 and 27-28, Bartos et al., as modified, disclose the instant claimed invention except for the support member comprising a chassis of an imaging device.

Slater discloses a support member (18) being used within a chassis of an imaging device (figures 2-3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the support member with a chassis of Bartos et al., as modified, as suggested by Slater, in order to secure component with the panel through

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a support member, wherein the protrusion subtends an angle from a longitudinal axis of the bore of at least 10 degree to 30 degree.

Regarding claim 24, Bartos et al., as modified, disclose the instant claimed invention except for a chassis which including a plurality of the retention elements.

Slater discloses a chassis (10) having a plurality of the retention elements (18), a plurality of the fixing members (12) and at least one component (16) which is clamped to the chassis with the fixing elements and the retention elements (figures 1-3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the plurality of retention members with a chassis of Bartos et al., as modified, as suggested by Slater, for the purpose of closing chassis with base/cap/cover and further to protect components therein the chassis.

Regarding claims 25-26, the claimed method steps are inherit in the product structure.

#### ***Allowable Subject Matter***

5. Claims 10-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: The cited references in combination with the prior art of record fail to teach or suggest the protrusion having first and second side surfaces extending from an inner of the bore being tapered toward an end of the bore.

***Response to Arguments***

7. Applicant's arguments with respect to claims 1-4, 6-17, 19-28 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***


8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Schiess et al. [US 5,980,177] disclose a fastener structure.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung S. Bui whose telephone number is (571) 272-2102. The examiner can normally be reached on Monday-Friday 8:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamand Cuneo can be reached on (571) 272-1957. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

6/5/06  
**Hung Bui**  
**Art Unit 2841**

  
K Cuneo  
OE 2841